TRUTH VINDICATED:

OR

A detection of the Aſperſions and Scandals caſt upon Sir *ROBERT CLAYTON* and Sir *GEORGE TREBY*, Juſtices; and *SLINGSBY BETHELL* and *HENRY CORNISH* Eſquires, Sheriffs, of the City of *LONDON*,

In a Paper publiſhed in the Name of Dr. *Francis Hawkins* Miniſter of the *Tower*,

INTITULED,

THE

CONFESSION

OF

EDWARD FITZ-HARRIS Eſq; *&c.*

The Coppy of which Paper is herewith Printed, for the Readers clearer judgment in the Caſe.

LONDON:
Printed for *Rich. Baldwin*, 1681.

TRUTH
Vindicated, &c.

OUT of a juſt care that the *Proteſtant Religion* and Intereſt may not ſuffer, nor our own Reputations be blaſted by the moſt odious Scandals cauſeleſly caſt upon us in the execution of our ſeveral Offices, we are conſtrained to make known unto the World the abominable falſehoods and fictions of that pretended Confeſſion of *Fitz-Harris*, publiſhed by Dr. *Francis Hawkins* Miniſter of the *Tower*.

We could not indeed ſuddenly reſolve whether it were needful to open the Villany of that Paper, in regard it carries in its own forehead ſo many evident marks of malice and falſehood to every obſerving man that knows what happened about *Fitz-Harris*.

But having heard that ſome have been deceived by that Paper, and induced to believe that it was Written by *Fitz-Harris* (*bona fide*) from ſome compunction of Conſcience, or ſenſe of obligation to reveal the truth at his death, We hold it our duty to diſcover the Popiſh practice and contrivance in the forming and publiſhing that pretended Confeſſion.

The poor deluded, timerous Wretch conſenting perhaps to the wickedneſs, whilſt he was perſwaded it ſhould ſave him from the Gallows, though he was conſcious to himſelf, that the matters pretended to be confeſſed were a parcel of falſehoods invented to ſerve baſe deſigns; the whole Paper having no face or appearance of a dying Criminal's open-hearted confeſſion of his ſins, nor any expreſſions of remorſe of Conſcience for them. No more notice is taken of any of thoſe (too well known) debaucheries and wickedneſs of his Life, than if he had lived like a Saint or Angel; no acknowledgment or mention is made of thoſe odious repeated perjuries to the Secretaries of State, to Sir *Robert Clayton*, &c. and to the Judges of the *Kings-Bench*, of which, he muſt have known himſelf to be guilty, if he had thought this pretended Confeſſion to be true. There's nothing in it that looks plain, clear and natural, as ſeriouſly intended to diſcharge his Conſcience, and ſatisfie the world about the matters formerly ſworn by him, and publiſhed by Authority. If any ſuch purpoſe had been really in his heart, like a true penitent ſinner, he muſt natually have deſcended to the particulers of what he had ſworn, and have declared to the world, whether his Ghoſtly Father, *Gough*, did really tell him in the year 1672 (as he had depoſed) *of the Papiſts deſigns to bring the D. of* York *to be King, to reſtore Popery, and of killing the King to make way for it*; He could not but have confirmed or denied the truth of his Oath, That his other Ghoſtly Father, *Parry*, (the *Portugues* Embaſſador's Confeſſor) told him in 1678, *That a Council of* Roman Catholicks *had reſolved, that ſeeing the King failed in the expectations they had from him, he ſhould be deſtroyed, and that*

that the buſineſs was near, and he ſhould ſoon ſee it done. If his Conſcience had been to be unburdened in this Confeſſion, he could not have forborn to ſay clearly, that he depoſed truly or falſly, *That the Marqueſs* Montecuculi *in 1679, ſwore him firſt to ſecrecy, and then offered him Ten thouſand pounds to kill the King either in his own perſon, or by any other.*

And if this pretended Confeſſion were conſcientiouſly taken by Dr. *Hawkins*, as from a penitent ſinner whom he abſolved from his ſins (as he ſays) he could not be ſo negligent or ignorant in his Prieſtly Office, or ſo falſe to the King and the Religion he profeſſes, as not to exhort the ſinner when he ſeemed to retract what he had ſworn before, to confeſs the truth in matters of ſuch concern to the life of the King, and the being of the Proteſtant Religion, and the publick juſtice of the Kingdom, knowing that his Confeſſion about thoſe things had been publiſhed to the whole world.

But this Paper ſhews it ſelf, when duly examined, to be a ſtudied artificial contrivance to cover the Popiſh Treaſons, without an impudent direct forſwearing the particulars that have been evidently proved, and a deſign by equivocations and ſly inſinuations mixt with downright falſhoods and fictions, to perſwade the world that there are amongſt the Proteſtants abominable practiſes of ſubornation of Perjuries againſt the Papiſts, wicked Conſpiracies againſt the King, Queen and Duke of *York*, and vile deſigns againſt the Lords of the Council. We doubt not but time will diſcover how, and by whom this pretended Confeſſion was modelled and put together, and how long it was upon the Anvil to faſhion it, and how the miſerable man was prevailed upon

upon to give a ſeeming conſent to it, againſt the dictates of his Conſcience, with hopes to ſave his life by ſerving ſuch deſigns, though he was ſeemingly to renounce thoſe hopes, to make himſelf the better to be believed.

For the preſent, let it ſuffice that we anatomize this mock Confeſſion, and ſhew its ſhameful falſhood out of its own matter and form.

It is to be obſerved, how he begins his Confeſſion; not like a man that had before confeſſed upon his Oath many Popiſh Treaſons and Deſigns againſt the Proteſtants, their Religion and Lives; and from whom (being now attainted of Treaſon) was to be expected a clear account of all the Popiſh Intrigues he knew: But without Apology or Preamble, he tells the world (believe it who can) That *the Treaſon of the Libel whereof he was convicted, came from a Proteſtant*, viz. *the Lord* Howard; *and that he was no further concerned in it, than as he was imployed to give the King notice of ſuch Libels, which he was wont to do by Mrs.* Wall, *the Lady* Portſmouths *Woman.*

But the Conſcience of this poor wretch could not but witneſs within him, that he had often proteſted before God, that the Lord *Howard* knew nothing of the Libel, and that he had bitterly complained ſometime to Sheriff *Corniſh*, and ſometime to Sheriff *Bethel* in *Newgate*, that he was preſſed with the powerful Argument of ſaving his Life, to accuſe my Lord *Howard* and Lord of *Shaftesbury* of the Libel; and that he was ſo importuned thereunto, that he was forced to down of his knees, and beg that he might not be further preſſed therein, the Lord *Howard* being innocent of it, and the Lord *Shaftesbury* being

ſuch

ſuch a ſtranger to him, as he had ſcarce ever ſpoke to him: adding with great aſſeverations, that if it were to ſave his Life, he could not be guilty of ſo baſe a villany; but would rather dye than accuſe the innocent. *What large offers were alſo made to ſome of his friends, to perſwade him to accuſe the Lord* Howard, *may hereafter be proved.* He alſo knew (as many Thouſands do) that the Evidence given at the *Kings-Bench*, upon his Tryal, was full and clear, That he provided and furniſhed all the matter of the Libel, and dictated other parts of it, and that it was drawn into form at his requeſt, and for him. And himſelf confeſſed he ſhewed the Papers of the Libel to the Lord *Arran.* But perhaps the miſerable man was deluded to think his Life might be ſaved, by accuſing the Proteſtants, and excuſing himſelf as a Spy upon them: Therefore he next proceeds (in his Sham Confeſſion) to a Proteſtant Plot, *viz. That the Lord* Howard *told him of a deſign to ſeize upon the King's perſon, to carry him into the City, and there detain him till he had condeſcended to their deſires; and that himſelf and* Heyns *were privy to the deſign.*

Here is a Wonderul tale of a Proteſtant Plot between two *Iriſh* Papiſts and a Proteſtant Lord; one Engliſh Sheep in conjunction with two *Iriſh* Wolves, to hunt and perſue the ſame prey, and this is told to be believed and Swallowed like the Articles of the Popiſh faith, without chewing or asking queſtion about the particulars, or the probability or poſſibility of the thing.

Doubtleſs if thoſe Words have any ſenſe in them, *viz. by detaining the King until he hath condeſcended to their deſires,* it muſt be meant, until he hath paſſed Acts of Parliament, or Laws ſuitable to the *Proteſtant* deſires.

Surely

Surely the Inventer of this, never conſidered that ſuch a deſign was of a thing impoſſible, unleſs the Parliament did concurr and Act in ſuch a Treaſon, and prepare and frame their deſires intoBills for that purpoſe; and unleſs the Government, and alſo the force of the City did joyn with the Parliament to detain the King in Cuſtody for the ſame ends;and doubtleſs it was an abſolute impoſſibility to know the mind and ſenſe of a Parliament before it had a being; and another, to underſtand the reſolutions of the vaſt body of the City in a matter never propounded to any of their aſſemblies. Yet this ſham Confeſſion hath the confidence to ſay,that *Heynes* and *Fitz-Harris* were privy to this Deſign, and had ſeveral Meetings with the Lord *Howard*, and particularizeth the revocation of the Act for the Settlement of *Ireland*, as one of the Acts that was to be paſſed in the execution of this Deſign.

Yet there is nothing of Circumſtance, or particular, pretendedly diſcovered to induce the weakeſt of men to believe it. If this counterfeit confeſſor were privy to ſuch a deſign, and met to conſult it, he muſt certainly have known what forces were thought of to Maſter the King's Guards, and who was to Command them, and out of what ground they were to ſpring up in a Night, like Muſhrooms, and which of thoſe Newborn Regiments were to Carry the King Priſoner to *London*; he muſt have alſo heard who were to prepare and prevail with the Members of Parliament to perſue this deſign. *Fitz-Harris* and *Heynes*, two *Iriſh* Papiſts, and neither of quality, parts, eſtates, or intereſts, were doubtleſs well choſen inſtruments, to apply to the Members of Parliament, to revoke the Set-

Settlement of *Ireland*, and were likely to be admitted into Secrecy with them about this Design and Treason.

We ask pardon that we cannot speak more gravely of this matter, this feigned discovery of a Protestant Plot being more ridiculous then the birth of the Mountaines; And for that reason, we think it needless to relate the frequent protestations made by *Fitz-Harris*, That he knew nothing of any design of the Lord *Howard* against the King or Government: This very Confession it self, when examined, being the clearest evidence of its own wickedness and folly.

Now this Mock Confession having told this vain Story of a design against the King by the Protestants, he applies himself in the next page, by false insinuations, to perswade the World (in effect) that there was no *Popish Plot*, and that the Protestant Officers and Magistrates, have wickedly indeavoured to suborn him, to make a Confession that might corfirm a *Popish Plot*.

He declares, that in *Newgate*, the Sheriffs, *Bethell* and *Cornish*, came to him with a token from the Lord *Howard*, which he knew to be true, and told him nothing would save his Life, but discovering the *Popish Plot*, and gave him great incouragements from the Lord *Howard*, that if he would declare that he believed so much of the Plot as amounted to the introducing

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the *Roman Catholicks*, or if he would find out any that would Criminate the Queen, Royal Highneſs, or make ſo much as a plauſible Story to comfirm the Plot, that the Parliament would reſtore him to his Fathers eſtate, with the profits thereof ſince His Majeſties Reſtauration.

We have no way left us in nature to evince the falſhood of this whole Story, but by Circumſtances, or the teſtimony of ſuch as were preſent when the Sheriffs were ſeverally with him, or their own averments upon Oath, which they are ready to give, that all thoſe particulers are falſe and groundleſs inventions.

'Tis ſo far from the leaſt appearance of truth, that the *Sheriffs* went to him with a token from the Lord *Howard*, that they will ſeverally depoſe, that they never ſaw or heard from the Lord *Howard* in any kind, whilſt *Fitz-Harris* was in *Newgate*; and Capt. *Richardſon* and the keepers can Witneſs that they never came together to *Fitz-Harris*, or diſcourſed him together, or were in *Newgate* at the ſame time whilſt he was there, ſave only that Sheriff *Bethell* on the 10*th* of *March* was coming out from *Fitz-Harris*, when Sir *Robert Clayton* and Sir *George Treby*, with Sheriff *Corniſh* were coming in to examine him; but Sheriff *Bethell* made them no ſtay, but left them forthwith; nor did he ever ſee *Fitz-Harris* in his life, until *Wedneſday* the 9*th* of *March* laſt, which was four days after he had made his firſt Confeſſion of the *Popiſh* Treaſons to the *Secretaries*

cretaries of State, the ſame in ſubſtance with that, printed by order of the Commons in Parliament; and Sheriff *Bethell* had not then come to *Fitz-Harris*, if he had not ſent to him the day before to deſire to ſpeak with him.

Sheriff *Corniſh* likewiſe never ſaw *Fitz-Harris*, until *Sunday* the *6th* of *March*, which was after the *Secretaries* of States firſt examination of him, and he then diſcourſed him only in the preſence of Captain *Richardſon*, who can teſtify the falſehood of thoſe Suggeſtions, that he pretended to come from the Lord *Howard* with a token *&c.* And can prove that Sheriff *Corniſh* cheifly adviſed him to make an honeſt true Confeſſion about the Libel, and its authors and abettors; but *Fitz-Harris* of his own accord and Motion, told him, that he had known the proceedings of the *Popiſh Plot* for Seven or Eight years, and that he could make great and conſiderable diſcoveries, wherein His Majeſties Life was ſtill in danger, for that the grand *Plot* (So he called it) was ſtill carrying on. And further ſaid, that he could diſcover conſiderable things about the *Popiſh Plot*, and *Godfreys* Murder, not yet diſcovered. Then he deſired Sheriff *Corniſh* to take his examination, who told him, he could not, for he was not in the Commiſſion of the Peace: then *Fitz-Harris* prayed him to ſend a Juſtice of the Peace to him, but Sheriff *Corniſh* forthwith applyed himſelf to His Majeſty, and acquainted him with the diſcourſe herein related; and thereupon, *Munday March* the 7th, the *Secretaries* of State and the Kings Attorney, came and examined him a ſecond time, and the next

day a third time, before Sir *Robert Clayton* and Sir *George Treby* ever ſaw his face, their examination of him being taken on *Thurſday March* the 10th; So that neither of the Sheriffs, or the City Juſtices ever ſpake word in private with *Fitz-Harris* until he had been fully examined at three ſeveral times by the *Secretaries* of State, and before them ſworn to the ſubſtance of all his printed Examination.

We hope from theſe matters of fact which are here truly related, it will appear to be a wicked device in the mock Confeſſion, to inſinuate moſt falſly to the world, a Conſultation and Confederacy between the Lord *Howard* and the Sheriffs (who never ſaw nor heard from his Lordſhip in the Caſe) to ſuborn *Fitz-Harris* with promiſes of rewards, mixt with threats, to confeſs the Popiſh Plot, or to put him upon chargeing the Queen, his Royal Highneſs, or any man elſe, as is ſuggeſted.

But the ſtupid folly of this falſe tale, if conſidered, may be alone ſufficient to render it worthy of no credit, in that it makes the Sheriffs ſo void of underſtanding, as to have thought a declaration from ſuch a wretch as *Fitz-Harris*, of his belief of the Popiſh Plot to have been of great value, and that it was worth a high reward for him to have invented a plauſible ſtory to confirm the Plot, after the Villany of it hath been declared in ſo many Proclamations of His Majeſties, the Votes of four ſucceſſive Parliaments, and Sentences of Death given againſt the Popiſh Plotters in all the higheſt Judicatures of the Kingdom.

Who

Who but Dr. *Hawkins* could have had faith enough in ſuch a ſtory, to ſuffer his pretended Penitent (as he did) to renounce before him, all the mercies of God Almighty, if it were not Truth?

With the like falſhood in the ſame Paragraph, the Sham Confeſſion chargeth the Sheriffs to have brought heads with them from *Everard*, to have accuſed *Fitz-Harris* for a *Yorkiſt*, put on by the King to put the Libel into Proteſtants Houſes to trapan them; and *Fitz-Harris* denies that he knew of any ſuch thing.

We could not have eaſily thought the heart of any man ſo vile, to have formed out of nothing this horrible ſlander; but the wicked intent herein is not hard to be diſcerned.

If the King can be induced to believe it, the Popiſh ends are compaſſed; he muſt needs be highly incenſed againſt the Sheriffs: And if he ſhould think (as 'tis inſinuated) that they did it by conſent with other Proteſtants, His Royal heart muſt paſs ſevere cenſures upon them, and be jealous of baſe deſigns againſt him. And if any Artifice can prevail upon His Majeſty to diſtruſt the loyalty of any number of his Proteſtant Subjects, 'tis matter of Triumph to the Popiſh party and their adherents.

Other

Other wicked uſes of this Slander, might be to blunt the edge of the evidence given upon *Fitz-Harris* his Tryal, about a trapanning uſe intended to be made of the Libel, and to make the world believe, that he was a wretched counterfeit, when he deſired the Sheriffs, as they came ſeverally to him (with ſeeming uprightneſs and ſincerity) to advize my Lord *Shaftsbury*, and other Members of Parliament from *Fitz-Harris* himſelf, to take heed to their Pockets, for that there was a deſign to ſlip Treaſonable Papers into them, and then ſeize them, whilſt they had them about their perſons.

The next buſineſs of the Mock Confeſſion is, to perſwade ſuch as will be deceived, that the Confeſſions he made about the Popiſh Plots, and *Godfrey*'s Murder, were altogether falſe, and forced from him by the Sheriffs. *I* (ſaith the Paper) *finding my ſelf in* Newgate *Fettered, Moneyleſs, Friendleſs, and I could ſee no other refuge for Life, but complying with them* (*i. e.* the Sheriffs) *ſo to ſave my Life I did comply.*

This looks ſomething like the practice of that infamous Popiſh Midwife, Mrs. *Celier*, who attempted to couzen the world into a belief, That the Proteſtants, upon falſe Accuſations, caſt ſome innocent Papiſts into *Newgate*, and there tormented them in Irons, and otherwiſe,

wiſe, to extort falſe Confeſſions from them of a Popiſh Plot.

But the truth will be atteſted by many Witneſſes, that *Fitz-Harris* was never fettered, or put into Irons, or harſhly uſed whilſt in the Sheriffs cuſtody; but on the contrary, treated with all the civility his Caſe would permit, and ſo he declared at the Gallows; and thanked the Sheriffs even with his dying breath, when he ought to have expreſſed juſt indignation againſt them, (and a Dying repenting Sinner could not have forborn it) if he had thought (as this ſham Confeſſion ſays) that they had forced or perſwaded him to defile his Conſcience with ſo many Perjuries, and to blot the Names of his Ghoſtly Fathers, and whole *Popiſh* Party, and many great Perſons with ſo many black Treaſons and other crimes.

And it will be as evident from circumſtances, that there was no more force put upon *Fitz-Harris*'s mind by the Sheriffs, to procure his Confeſſion, than was upon his Body.

The Sheriffs jointly (as is ſaid before) never diſcourſed him, and neither of them took any Confeſſion upon Oath from him, or pretended to any Power ſo to examine him, nor had it in their Power to reward or puniſh him. Whatſoever this mock Confeſſion ſaith, *Fitz-Harris* could

could not think the Sheriffs a refuge to ſave his Life, whom he knew not to have Power to ſave a hair of his Head.

There's another invention in this ſham Confeſſion as falſe and as rediculous as any of the former, never dreamt of by the Sheriffs, nor perhaps by any Body elſe, ſave the inventers of it, till that vile Paper came forth (*viz.*) That the Sheriffs brought inſtruction from the Lords and Commons (as they ſaid) who met that day in order to Addreſs to the King in his behalf, if he ſhould confirm the Inſtructions: which muſt be intended ſurely, If he ſhould ſwear as they would have him, that is, as the Mock Confeſſion explains it, to the Heads, which the Examination taken by Sir *Robert Clayton* and Sir *George Treby* contains; and a great deal more relating to the Queen, his Royal Highneſs, and the Earl of *Danby*; declaring *French* Pentioners, Lords, *Hallifax*, *Hide*, *Clarendon*, *Feverſham*, *Seymor* and others; the Burning the Fleet, Forts and Government in Popiſh hands, Meal-Tub Plot, Apprentices Plot, and theſe and many other Heads *Fitz-Harris* is made to ſay, were brought him by the Sheriffs.

Surely

Surely this was contrived to perſwade the credulous *Papiſts* in foreign Countries, that the Lords and Commons were then ſitting in Parliament; and that the Sheriffs conſulted and confederated with them to ſuborn *Fitz-harris* to be a Witneſs of the Popiſh Plots and Practices, which they had declared to the world; or at leaſt that ſome Lords and Commons were privy and parties to the Subornation of *Fitz-harris* by the Sheriffs, to ſware as they ſhould inſtruct him; and that thoſe Lords and Commoners intended to uſe their Intereſt with his Majeſty for his Pardon, to make him (though falſe) their legal Witneſs

But as in truth there was no Parliament ſitting whilſt *Fitz-harris* was in the Sheriffs cuſtody, nor in ten days after, and the place of their ſitting is well known was to be at *Oxford*, and not at *London*; ſo there were no inſtructions for him to confirm, or ſwear to, either from Lords or Commoners, none of the heads mentioned, nor any others brought to him by the Sheriffs, or either of them; no addreſs for his Pardon imagined, or thought of by either Lords or Commons, nor mentioned by the Sheriffs, or either of them; no meeting for any ſuch intent, no diſcourſe between the Sheriffs and any man or men under the Sun, about ſuch an Addreſs; every circumſtance of this Helliſh Tale coming out of the forge of the Father of Lyes.

Yet it may be this was thought a hopeful invention to take off from the credit of all the Evidence given in Courts of Juſtice, concerning all the Popiſh Deſigns enumerated under thoſe Heads and Inſtructions; and indeed it ſeems to be a crafty way, to throw dirt at all

thoſe ſolemn Declarations made in Parliament concerning the Abettors of thoſe Popiſh and *French* Deſigns, and the adherents to them, by whoſe countenance all their Plots have been managed, that have ſo endangered the King and Kingdom.

And though this falſe poyſonous tongue ſeems to ſpit its venom directly at the Sheriffs, yet it endeavours to do the greateſt miſchief to the King and the Parliament, and to defame to the whole world all the late Proceedings of Parliaments againſt the Popiſh Plotters, and their favourers.

The mock-confeſſion goes on further to defame (if his tongue be a ſlander) Sir *Robert Clayton*, and Sir *George Treby*, Juſtices of the Peace for the City, darkly inſinuating that they would have induced him to ſay more than was true, and plainly ſaying that what he depoſed before them concerning Father *Patrick*, was forced out of him, and was not true; and he ſo repreſents Sir *George Treby*'s carriage in taking his whole Examination, that he would have the whole thought to be of no validity.

But doubtleſs Mr. *Fitz-harris* did not, nor could he poſſibly have believed himſelf (if he conſented to have it written) that Sir *Robert Clayton*, and Sir *George Treby* dealt unfairly with him, or forced out of him either what he ſwore concerning Father *Patrick*, or any thing elſe of his Confeſſion.

He knew very well that they came to take his Confeſſion, not officiouſly, but upon his own earneſt reiterated intreaty, at ſeveral times, to each of the Sheriffs apart, that

that ſome Juſtices of the Peace might be ſent to him, to whom he might make a full diſcovery of matters not before diſcovered in the *Grand Popiſh Plot*, (as he called it.) He knew alſo that they came not till *Thurſday* in the afternoon, the tenth of *March*, and that he had been thrice examined by the Secretaries of State, Lord *Conway*, Sir *L. Jenkins*, and the Attorney-General, before Sir *Robert Clayton*, and Sir *George Treby*, ever ſaw him; and he was conſcious to himſelf, that he had firſt ſworn before the Secretaries all that he would now retract concerning Father *Patrick*, as forced out of him by Sir *Robert Clayton*, and Sir *George Treby*, and the other matters alſo in ſubſtance, that are contained in his Printed Examination, by Sir *Robert Clayton*, and Sir *George Treby*, except that one paſſage in it about *De Puy*; and the whole Houſe of Commons at *Oxford* are Witneſſes herein, That when Sir *George Treby* read *Fitz-harris*'s Examination to the Houſe, Mr. Secretary *Jenkins* declared, That he had before confeſſed the ſame in ſubſtance to the Lord *Conway*, the Attorney-General, and himſelf, except that about *De Puy*. Yet (for what reaſon we know not) the contrivers of this Sham-retractation, or declaration, took no care to retract or excuſe his ſwearing the ſame matters before the Secretaries of State.

Perhaps, becauſe thoſe Examinations were never Printed, and ſcarce any Foreigners, nor many *Engliſh* men did know that *Fitz-harris* had thrice ſworn to the ſame Confeſſion in ſubſtance before the Secretaries of State, which he did the fourth time before Sir *Robert Clayton*, and Sir *George Treby*.

Beſides, it beſt anſwered the deſign of this Sham-con-

feſſion,to conceal the firſt Examinations as much as could be, and to repreſent it to the world, as if Sir *Robert Clayton*, and Sir *George Treby*, had forced out of him the Confeſſion of all thoſe Popiſh Treaſons mentioned in his Printed Examination, as it was reported to the Parliament. There's a Trial of skill alſo for the ſame purpoſe in this mock-confeſſion to wreſt ſome of Sir *Robert Clayton*'s, and Sir *George Treby*'s words from their honeſt ſenſe wherein they were ſpoken, and to ſeparate them from their other words,properly joined with them(as the Devil uſed the Scripture)that they might ſeem to imply a wicked intent,to draw *Fitz-harris* to ſay what was not true.

When it was late in the night, and *Fitz-harris* complained he was tired, having been about three hours upon Examination, and was asked what he could ſay concerning *Godfrey*'s Murder; and he anſwered in general only *(ſomething.)* Could any thing be replied more harmleſly by Sir *Robert Clayton*, than to wiſh him to recollect himſelf againſt the next day , when it was intended to examine him further, if he had not been removed out of their power? Yet even theſe words of Sir *Robert Clayton*'s are recited, as if they imply'd ſome ill practiſe by him upon the Examinant, or at leaſt ſome ſiniſter intent of his in that matter.

The Sham-confeſſion further craftily inſinuates (tho' it doth not expreſly ſay it), that this wretched mans Depoſitions about the Counſels held at St. *James*'s and *Windſor* concerning *Godfrey*'s Murder,were taken by Sir *Robert Clayton*, and Sir *George Treby* (which is utterly falſe);then the Confeſſion declares that he was *put upon* what he ſaid againſt the *Queen* and the Earl of *Danby* about that Murder; and that Sir *George Treby* would have had him ſay that

that the *Duke*, the Lord *Bellasis*, *Arundel* and *Powis*, were at the Consult, and that he had seen them go to it at St. *James's*. Surely these Sham-Confessions are thus methodized and put together, in hope to abuse or deceive the world into a Belief, or Opinion, that whatsoever this *Fitz-Harris* Deposed first, and last, about the Popish Plot, and *Godfrey's* Murder, was done by the Practices, Force, and Inducements of the City-Sheriffs and the Justices of the Peace.

Whereas it is most notoriously known, that it was upon *Fitz-Harris's* own Motion to the Judges of the *Kings-Bench*, that his Depositions were taken before that Court, about *Godfrey's* Murder, and that then, and not before, he discovered the Councels held at *St. James's* and *Windsor* about *Godfrey's* Murder, and the persons concerned and present therein; and the words he heard from the Earl of *Danby* coming out from the Consult, and the account he then had from *De Puy*, of the Resolutions taken for that Murder.

And this was in the Term, after that the Parliament at *Oxford* was Dissolved, and above six Weeks after his most close Imprisonment in the *Tower*, where the City-Sheriffs, or Magistrates, or any from them, were never admitted to see him. Indeed the counterfeit Confession (to avoid a plain conviction of its falshood) durst not say by whom *Fitz-Harris* was put upon saying what he did, of the Queen and Earl of *Danby* about *Godfrey's* Murder.

But as the matters are connected, 'tis strongly implied to have been by the City-Magistrates, none other being named or referred unto. And

And to perſwade the World, that the vileſt Wickedneſs may juſtly be believed of them (*viz.*) the City-Officers, the Impudence of Hell is aſſumed to bring in Sir *George Treby*, deſiring or willing him to accuſe the Earl of *Danby* and the *Popiſh* Lords in the *Tower*, thus ſpeaking, (as if the worſt of Devils had ſpoke in him) *Do but you SAY it, we have thoſe that will SWEAR it.* If ſuch as know not Sir *George Treby* can believe him to be ſo vile a Wretch, as he is render'd, and could alſo think Sir *Robert Clayton* could have been guilty of the ſame Wickedneſs in conſenting to it, or ſilently conniving at it, to which a thouſand worlds could not have hired him: Yet when they ſhall hear of Sir *George Treby*'s profeſſion of the Law, his Reputation and Place, ſurely 'tis impoſſible for them to believe him to have been ſo exceeding ſilly, as to diſcover to an *Iriſh Papiſt*, whom he had never ſeen before, ſuch a ſtrange Myſtery and Secret of Darkneſs amongſt the *Proteſtants*, and City-Magiſtrates, *viz.* That they had a pack of Knights of the Poſt, godleſs perjurious Wretches, in readineſs to ſwear whatſoever they would have them.

If they had been ſo provided with falſe Witneſſes againſt the *Duke* and the *Popiſh Lords*, as this counterfeit Confeſſion ſuggeſts, and if there had been a wicked Deſign againſt them, there was no need of *Fitz-Harris* his SAYING any thing about them; no body can think that he was better able than Sir *George Treby* to inſtruct a *falſe* Witneſs againſt them, eſpecially when the Sham-confeſſion repreſents him firſt inſtructing *Fitz-Harris*, what he ſhould *ſay* againſt the *Duke* and *Lords*, that then the Sons of *Belial* might come from their lurking-places, and *SWEAR* to his words.

Surely

Surely it had been the wiſer, the ſafer, and the ſhorter way for Sir *George Treby*, to have given his Swearers (if there had been ſuch) their Leſſons immediately, without deſiring *Fitz-Harris* (as is vainly ſuggeſted) firſt to *ſay* it over after him, that then the Witneſſes might *Swear* it.

Neither the falſe Suggeſtions nor the Perjuries could have gained any weight or credit from the Authority of *Fitz-Harris*, by his *ſaying* what they were to *ſwear*.

In fine, They muſt deſire to be couzen'd, that will but ſeem to believe ſo *black*, ſo *vain*, ſo *unlikely*, and ſo *fooliſh* a Slander of Sir *Robert Clayton* and Sir *George Treby*, only upon Dr. *Hawkins*'s ſaying, (if he hath ſaid true) that he had the words of *Fitz-Harris* for it; who hath convicted himſelf of forty Perjuries, if the pretended Confeſſion to Dr. *Hawkins* had been *bona fide* made by him.

But this pretended Confeſſion having loaded with Infamy the Sheriffs and Juſtices of Peace, imployed in *Fitz-Harris*'s Examination, takes wonderful care with all the Art and Skill the Contrivers had, that the Earl of *Danby* might be wiped clean from *Godfrey's* Murder, for which he was Indicted by the occaſion of *Fitz-Harris*'s Oath.

For that purpoſe the words of this Confeſſion are ſo framed, that the world may think, that the Sheriffs or Juſtices of the City, were the practiſers with him in that Depoſition, the Paper ſaying, *They were the more deſirous to accuſe the Lord* Danby *of* Godfreys *Murder, becauſe the Crime of Murder is not inſerted in his Pardon.*

The

The word *THEY* will be understood to relate to Sir *Robert Clayton* and Sir *George Treby*, who only were mentioned before, or the Sheriffs; tho' *Fitz-Harris* was never Examined about the Lord *Danby* by any of them, nor had any of them ever heard the least of the matters Sworn by him against the Lord *Danby*, about that Murder, until they were publique at the *Kings-Bench-Bar*, which was six Weeks after *Fitz-Harris*'s removal from the Sheriffs custody, to be close Prisoner in the *Tower*.

And if he knew before his Oath against the Lord *Danby*, that Murder was not in his Pardon (which we do not believe) he was better informed than Sir *Rob. Clayton* or the Sheriffs, and the most men of *England*. But it seems strange, that this mock-Confession did not, for the help of this *Popish* Plot, absolutely retract the whole Evidence given by *Fitz-Harris* at the *Kings-Bench* Court; whereas those parts of it are now left as true, that Deposed the Councels held at St. *James*'s and *Windsor*, and that the Lord *Danby* coming out of one of them, breathed out the threatning words (as *Fitz-Harris* remembers) and that *De Puy*, that was then in hearing o the Counsel, presently told him, that *Godfrey*'s Murder was then resolv'd upon, *&c.* but a fine, thin excuse is invented since his Oath, that he believes *De Puy* spoke out of ill-will to the Lord *Danby*. Yet nothing is said to shew, how he now comes so to believe, more than when he was sworn in the Court to speak *the whole Truth, and nothing but the Truth.*

We hope we have said enough to convince every Impartial Reader, of the *Impiety*, *Fraud*, and *Mockery* of the *pretended Confession*; Yet we should not have taken this

this trouble, if we could have ſuffer'd with patience, that all the *Popiſh Treaſons* and *Wickedneſſes* lately Diſcovered, againſt our *Religion*, the *King* and *Kingdom*, ſhould be repreſented to the world, as the Devices and Practices of the *Proteſtants*, their Officers and Magiſtrates againſt the *Papiſts*, and that a ſeeming conſciencious Confeſſion of a *Dying man* ſhould be cry'd up by the *Papiſts*, at home and in forreign Countrys, as a ground to have it ſo believed.

We have reaſon to fear, that the Sufferings of the *Proteſtants* beyond the Seas, are upon this occaſion already encreaſed, our *Engliſh Papiſts* there daily decrying the *Popiſh Plot*, and catching at occaſions to ſcandalize all *Proteſtants* in Authority that oppoſe them, and to ſtir up Enmity and Rage thereby againſt the oppreſſed *Proteſtants*.

We muſt acknowledge that we were ſurprized with aſtoniſhment, when we firſt ſaw this Mock-Confeſſion of *Fitz-Harris* publiſhed; and the more, that it ſhould be done by a *Dr.* of the *Engliſh Church*, either *Fr. Hawkins*, or *Hawkeſworth*, (which Name he will owne, we cannot yet learn) but that a *Dr.* of our Church ſhould, upon pretence of his private Conference with a *Papiſt*, Attainted of Treaſon, publiſh in Print to the whole world for Truth, That *two Juſtices of the Peace*, and *Two Miniſters of Juſtice*, *High-Sheriffs of the City of* London, have combin'd with certain *Lords* and *Commons* of the *Parliament*, in a horrid Conſpiracy againſt the *Queen*, Duke of *York*, and many *Privy-Councellors*, and in wicked Practices againſt the *Papiſts*, and endeavoured to prevail with *Fitz-Harris* to perjure himſelf, by forming a plauſible Story to confirm the *Popiſh Plot*.

We ſay again, That a *Dr.* of *our Church* ſhould cauſe

o be ſent into all Kingdoms and Countries, ſuch black Scandals of ſo many *Perſons of Quality and Authority* in our Kingdom, to render them (as much as in him is) more infamous and odious, than words can expreſs; at this we were ſtruck with horror; and ſo much the more, when we conſider, that the *Doctor* was not ignorant, that theſe pretended *Words* or *Confeſſions* of *Fitz-Harris*, were contrary to his moſt ſolemn Oaths, Sworn before the King's Miniſters, as well as before thoſe Juſtices; and that all the *Commons of* England *in Parliament*, had by Order cauſed what he had ſo Sworn to be Publiſhed: And the *Doctor* could not be ignorant, that the whole ſcope of that *Mock Confeſſion*, was to throw the Odium of a *Plot* againſt the *King*'s *Perſon* upon ſome *Proteſtants*, and to diſcredit and prevent the proſecution of the *Popiſh* Plot.

The *Doctor* alſo might with very little pains have ſatisfied himſelf by undoubted Evidence of the Falſhood of ſeveral of the matters of Fact in the Confeſſion; and ſurely his Function as a *Divine*, his Duty as a *Neighbour*, and much more as a *Chriſtian*, required that he ſhould in ſome kind have heard, at leaſt, ſome of the parties accuſed, in their own behalf, (to whom he might have had eaſie acceſs) before he had proclaim'd them to the world, to be guilty of ſuch infamous Crimes: He cannot excuſe himſelf for want of Time, this *Mock-Confeſſion* was taking and forming, as we can prove, a Week at leaſt before *Fitz-Harris*'s Death: And we have reaſon to think, that the miſerable deluded man underſtood many things in it, as they were modell'd, as little as he did the *Doctrine* of the *Four General Councils*, which he owned for his *Faith*, whoſoever put it upon him.

But the *Doctor* took care that none of the parties accuſed might ſee the arrows intended to wound them, till their

their good names ſhould feel them, and therefore kept his Confeſſion in ſecret until the poor wretch was dead and cold, that would perhaps have ſhewed the fraud with his laſt breath, if he had been abſolutely certain that it was to be his *laſt*; but that the *Doctor* aſſured him of the contrary even very near his laſt hours, in due time will be proved.

The Sheriffs at the Gallows remembred *Fitz-Harris* of his promiſe made to each of them in *Newgate*, *That if they did put him to death, before he could diſcover to the Parliament what was yet undiſcovered of the Popiſh Plot, which he ſaid he reſerved for them, he would leave it behind him in writing.* He anſwered them, That he had left it with Dr. *Hawkins.*

The Sheriffs demanded of the *Doctor* that it might be read to the people, whilſt the man was living to own it; but the *Doctor* only refuſed it, not the *Man*, (how he was awed we know not), then the Sheriffs demanded a Copy of it from the *Doctor* as their due, as what belonged to *Fitz-Harris*; but after ſome ſhuffling anſwers that he had it not about him, and that a *Great man* had it, he promiſed them a Copy; but either he thought he was not bound by his promiſe, or elſe he made no conſcience of breaking the Bond.

We doubt not but time will bring to light the whole contrivance of obtruding upon the world this Mock-confeſſion, and make it appear that Dr. *Hawkins*, or *Hawksworth*, knew that *Fitz-Harris* never intended it ſhould paſs for a true and real Confeſſion, if he died for the Treaſon.

And perhaps for that reaſon there was no one perſon of Quality or Authority about the Tower, or any other of eminency and integrity called in all the days of its contrivance,

trivance, before whom *Fitz-harris* might own any article of the Confeſſion, though doubtleſs if there had been only fair dealing, the *Doctor* muſt needs have deſired it for his own ſafety and credit, nor is it accountable why it was not done; it may be alſo thoſe two *obſcure* men, and the woman, whoſe names are ſet to the Printed Paper as Witneſſes, knew no more what the Confeſſion and Declaration was, which *Fitz-Harris* proteſted to them he had made to Dr. *Hawkins* freely, than the Sheriffs knew what the *further diſcovery* was of the *Popiſh Plot*, which he alſo told them with his dying breath, he had left with Dr. *Hawkins*, no ſhadow of any ſuch diſcovery having yet been produced by him; but on the contrary this odious Sham-confeſſion to perſwade the world, that the noiſe of Popiſh Plots hath been from the wicked practiſes of ſome *Proteſtants*.

We have only left to pray, *That the God of Truth may bring to light all the hidden works of darkneſs, that no wicked device form'd againſt the Proteſtant Religion, his Majeſty and the Kingdom, may ever proſper; and let every good man ſay*, Amen.

FINIS.

The Confeſſion of *Edward Fitz-harys* Eſq.

I Edward Fitz-harys, *having been indicted of High-Treaſon, for endeavouring to dethrone the KING, was thereupon found guilty, and Sentence of death paſſed upon me. I the aforeſaid* Edward Fitz-harys *do voluntarily and freely, without any hopes to ſave my Life, but as a dying man, and to diſcharge my Conſcience towards God, and for the better ſatisfaction of the world, make this Declaration following, in the preſence of God, and unto Dr.* Francis Hawkins *Chaplain of the* Tower *of* London.

I do profeſs and declare my Religion in the general to be that which hath been truly and anciently delivered in the firſt Four General Councils; and in particular, my Belief is that true Faith of a Chriſtian briefly contained in thoſe Three Creeds commonly called, The Apoſtle's Creed, *St.* Athanaſius's, *and* The Nicene Creed: *And I die a Member, and in the Communion of* Chriſt's *Holy Catholick Church, hoping for Mercy through the alone Merits of the Paſſion of our Lord and Saviour* Jeſus Chriſt.

I do alſo confeſs and declare, as to the Crimes which I die for, I was no further concerned in the Libel, than as employed to give the King notice of what Libel or other Accuſations there were againſt him; and to this intent, and no other, I endeavoured to get this Libel; which at length I did, from Mr. Everard, *all written under his own hand, and carried it to Mrs.* Wall, *by whoſe means I conveyed all matters of this or the like*

nature to the King. I told her I had a buſineſs of great conſequence to acquaint the King with: but ſhe anſwered me, That my Lord Sunderland *being out, there would be no Money had for ſecret Service, and adviſed me to go to the Lord* Clarendon, *or* Hyde; *but before I could do this, I was taken. As for that part of the Libel which I left with* Everard, *as a Pledge to aſſure him I would not betray him, I received it of the Lord* Howard: *And the Money I received from the King, was for bringing a Libel called* The King Unvail'd, *and the* Lady Portſmouths Articles. *I call God to witneſs, I never had a Farthing charity from the King.*

I do further confeſs and declare, That the Lord Howard *told me of a Deſign to ſeize upon the King's Perſon, and to carry him into the City, and there detain him till he had condeſcended to their Deſires.* Heyns *and my ſelf were privy to this Deſign, and had ſeveral Meetings with the Lord* Howard; *and as an Encouragement, the Lord* Howard *aſſured us of breaking the Settlement of* Ireland, *taking off the Additional Revenue of the Biſhops, Forty nine-men, and Grantees, whoſe Eſtates were to be ſhar'd amongſt the Party.*

I do confeſs and declare, That while I was in Newgate, *the Sheriffs* Bethel *and* Corniſh *came to me with a Token from the Lord* Howard, *which I knew to be true, and brought Heads with them from* Everard, *wherein he accuſed me of being a Court Emiſſary, or* Yorkiſt, *put on by the King to put the Libel into Proteſtants houſes to trepan them. But I declare upon my death, I had no ſuch intent, nor do I know any ſuch thing. The Sheriffs likewiſe told me, I was to be tried within three or four days; that the People would proſecute me, and the Parliament would impeach me, and that nothing would ſave my*

my life, but discovering the Popish Plot. And then the Sheriffs aforesaid gave me great Encouragement from my Lord Howard, *that if I would declare that I believed so much of the Plot as amounted to the introducing the R. C. or if I could find out any that could criminate the Queen, R. H. or make so much as a plausible story to confirm the Plot, that the Parliament would restore me to my Fathers Estate, with the Profits thereof since His Majesties Restauration. I finding my self in the condition I was, in* Newgate, *Fettered, Moneyless, and Friendless, my Wife ready to Lye in, without any subsistence, my Children in a miserable condition, and must needs be in a worse by my death; and I could see no other Refuge for life, but complying with them; so not with ambitious intent, but to save my life, I did comply. The Sheriffs brought Instructions which they said came from the Lords and Commons, who met that day in order to Address to the King in my behalf, if I should confirm the Instructions: and they made use of the Lord* Shaftsbury's *name, and others, what Advantage I might have thereby. At the first I made a formal story concerning the Plot, which was not prejudicial to any body, but most relating to general Heads known publickly; upon which Mr.* Cornish *told me, These were things cryed about the Streets two years ago: I replied, I could say no more: Mr. Sheriff said, He was sorry for me with all his heart, but thought I could say more if I would, and pressed me hard to speak to several Heads; unto which unless I spoke, he said, there was no hopes of life. The Heads I was to speak to, is what the Examination taken by Sir* Robert Clayton *and Sir* George Treby *contains, and a great deal more that I did not say then, relating to the Queen, R. H. Earl of* Danby, *declaring* French *Pensio-*

ners, Lords Hallifax, Hyde, Clarendon, Feversham, Seymer, *and others; the burning the Fleet, Forts and Governments in Popish hands, Meal-Tub-Plot, Prentices Plot, the contrivance of the Libel on the Lady* Portsmouth, *being a* French *Designe to destroy Protestants: These and many other Heads were brought me by the Sheriffs.*

I do farther confess & declare, That Sir Rob. Clayton *and Sir* George Treby *coming to me to examine me, Sir* Rob. Clayton *asked me what I could say concerning* Godfrey's *Murder: I answered,* Something. *He replied, It may be I was in a confusion; recollect your self. And what I said concerning Father* Patrick, *was forced out of me; and what I said concerning him, is not true. Sir* George Treby *was with me three hours, or thereabouts, and pressed to say concerning* Godfrey's *death; and said, Unless I could speak to that Murder, I could say nothing: Whereupon, I said something I had from others. He asked me, if I could say no more? I replied,* Is not this enough to save my Life? Am I not Rogue enough? *The Recorder hereupon swore, Gods wounds, what were you ever but a Rogue? Then the Recorder entred upon the Heads of the Examination; which being done, he told me, All this would not save my Life, unless I would speak to the* Libel, *which was a Court-trick; and it was not for nothing that I had been so often seen at the Lady* Portsmouth's. *The Lord* Shaftsbury *said, You know more of these matters than any man. Sir* George *would have me speak to the Consult; that the* Duke *was at it, the Lords* Bellasis, Arundel, *and* Powis *were at it; You have seen them go to it at St.* James's; *without doubt they were there: Do you but say it, we have those that will swear it.*

I

I do further declare and confeſs, That what I ſaid againſt the Queen & the Duke, I was put upon, in the matter of Sir Edmunbury Godfrey's *Murder: And do further declare, That what I ſwore againſt the Earl of* Danby, *the threatning words that were uttered I did (to the beſt of my remembrance) hear; but whom they concern'd I could not well know, by what my Lord himſelf ſaid. And what* de Puis *told me concerning my Lord of* Danby, *I do believe was ſpoken out of ill will; and what I ſaid againſt him, was to ſtave off my Tryal till a* Parliament; *and they were the more deſirous to accuſe the Lord* Danby *of* Godfrey's *Murder, becauſe the Crime of Murder is not inſerted in his* Pardon. *I am ſorry for what I ſaid againſt the Queen, his Royal Highneſs, and the Earl of* Danby; *I deſire God to forgive me the wrong I did them, and do heartily beg their* Pardon.

I do further declare and proteſt, That this Confeſſion and Declaration of mine I own ſincerely, as a dying man, and not to ſave my life; and I call God and all his Angels to witneſs the Truth of it; and I renounce Mercy at the Hands of God Almighty, if this be not true.

And I do further declare and proteſt, as a dying man, unto James Walmeſly, Edward Pattel, *and* Mary Walmeſly, *That I have made this Confeſſion and Declaration unto Doctor* Hawkins *freely, and of my own voluntary accord, without any manner of promiſe made, or hopes given me by him from the King of ſaving my life by this Confeſſion; I having given him to underſtand before-hand they were matters of conſequence, and ſuch as chiefly concern'd the good of the King and Kingdom.*

I give the Doctor my hearty Thanks for all his Prayers, Counſel, and Charitable Offices he hath done me, and I pray God to bleſs him for ever for it. I forgive all the

World,

World, and desire all the World to forgive me; and the Lord have mercy on my Soul.

EDWARD FITZ-HARYS.

This Protestation was made by Mr. *Fitz-Harys*, *July* 1. between the hours of 7 and 8 in the morning, in the presence and hearing of us whose Names are hereunder written.

James Walmesly.
Edward Pattel.
Mary Walmesly.

I Do hereby declare, That Mr. *Fitz-Harys*, before he began to write any part of this Narrative, was more than once assured by me, that there was no hope of his life that I know of, whatever he should say; nor of his Salvation, if he should say any thing that he knew to be false: of which he being throughly sensible, and perfectly convinced, proceeded to write the Narrative aforesaid. And I continuing to admonish him upon every point that was material, not to say any thing but what was exactly true, he took occasion, at several periods of his Narrative, to kneel down, and solemnly to protest the truth of every word therein contained. And this I do again declare upon the Faith of a Christian, and the word of a Minister of the Gospel.

Francis Hawkins.

FINIS.

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